

THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA

Pursuant to the provisions of section 68115 of the Government Code and the inherent authority of the Chief Justice of California and Chairperson of the Judicial Council, it has been determined that because of what appear to be multiple, coordinated terrorist attacks on the United States, the extensive precautions that have been taken, including closure of facilities housing courts, and the Governor's declaration of a state of emergency in California under Government Code section 8625, a public calamity threatens the orderly operations of the California trial and appellate courts. The trial and appellate courts are therefore authorized to do the following:

- Suspend all operations in court facilities through Thursday, September 13, 2001;
- Hold sessions anywhere in the county, including in correctional and juvenile detention facilities (Government Code section 68115(a));
- Transfer civil cases pending in the court to another court in the county which has jurisdiction of the subject matter (Government Code section 68115(b));
- With the consent of all the parties to the case or upon a showing by a party that extreme or undue hardship would result unless the case is transferred for trial, transfer civil cases pending trial in the court to a court having jurisdiction of the subject matter in an adjacent county (Government Code section 68115(c));
- Extend the time period provided in Section 825 of the Penal Code within which a defendant charged with a felony offense shall be taken before a magistrate from 2 days to not more than 5 days (Government Code section 68115(f)). This shall not apply to any defendant taken into custody after Friday, September 14, 2001;
- Extend the time period provided in Section 859b of the Penal Code for the holding of a preliminary examination from 10 days to not more than 15 days (Government Code section 68115(g)); and

- Extend the time period provided in Section 1382 of the Penal Code within which a trial must be held by not more than 30 days (Government Code section 68115(h)).
- Extend the time period provided in Sections 632 and 637 of the Welfare and Institutions Code within which a minor shall be given a detention hearing to not more than 4 days (Government Code section 68115(i)). The extension of time shall be for the shortest period of time necessary under the circumstances of the emergency. This shall not apply to any minor taken into custody after Friday, September 14, 2001; and
- Extend the time period provided in Section 657 of the Welfare and Institutions Code within which an adjudication on a juvenile court petition shall be held by not more than 3 days (Government Code section 68115(j)). This shall not apply to any minor for whom the time period provided in Section 657 begins to run after Friday, September 14, 2001.

Each court that exercises any of the authority granted by this order must, by September 18, 2001, submit a request for an emergency order to the Chair of the Judicial Council.

This order is to be in effect from September 11, 2001, to and including September 18, 2001, unless otherwise terminated or extended prior to that date.

Dated: September 11, 2001

Chief Justice of California and
Chairperson of the Judicial Council